



**MINUTES OF SPECIAL JOINT MEETING OF
THE CITY COUNCIL/REDEVELOPMENT
AGENCY OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, February 20, 2001, 8:00 p.m.**

MEETING

The Special Joint Meeting of the City Council/Redevelopment Agency was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Mayor Cooper.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Hilson,
Rodriquez, Ward, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: None

PUBLIC COMMENTS

Ron Barklow, 1210 Tiegen Drive, asked that the proposed power plant be relocated to another area due to the adjacent habitat reserved for waterfowl.

Jason Moreno, 25200 Carlos Bee Boulevard, expressed concerns about downtown businesses.

Jim Drake, 25795 Franklin Avenue, reiterated his issues regarding a restaurant on Harder Road that plans to serve alcohol. Mayor Cooper asked staff to continue its review of this matter.

Mayor Cooper announced that on Saturday, February 24, beginning at 9 a.m., the Council would conduct its annual budget review session. She encouraged anyone interested to attend.

CONSENT

Item 2 was removed for further discussion.

1. Approval of Minutes of the Meeting of February 13, 2001

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and unanimously carried, with Council Member Henson abstaining, to approve the Minutes of the Meeting of the City Council of February 13, 2001.

Council Member Henson noted that he abstained because he was absent from that meeting.

2. Adoption of an Ordinance Related to the Establishment of Underground District No. 25 for Mission Boulevard, from Sycamore Avenue to Harder Road

Staff report submitted by City Clerk Reyes, dated February 20, 2001, was filed.

It was moved by Council Member Ward, seconded by Council Member Hilson, and unanimously

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carried with Council Member Henson abstaining, to adopt the following:

Ordinance 01-03, "An Ordinance Amending Article 4, Chapter 11 of the Hayward Municipal Code by Adding Section 11-4.25 Thereto Relating to Underground District No. 25"

3. Smalley Avenue Water Main Replacement, Award of Contract

Staff report submitted by Deputy Director of Public Works/Utilities Ameri, dated February 20, 2001, was filed.

It was moved by Council Member Hilson, seconded by Council Member Rodriquez, and unanimously carried to adopt the following:

Resolution 01-027, "Resolution Awarding Contract to Stoloski & Gonzalez, Inc. for the Smalley Avenue Water Main Replacement Project, Project No. 623-7015"

4. Arterial Pavement Rehabilitation - Phase I: Approval of Addendum, Award of Contract, and Appropriation of Funds

Staff report submitted by Deputy Director of Public Works Bauman, dated February 20, 2001, was filed.

Ron Barklow, 1210 Tiegen Drive, asked about truck hauling along the major road and the impact to traffic during street repairs.

City Manager Armas responded that Tennyson would not be used for project hauling. Additionally, he noted that there is periodic documentation on the condition of the roads during such projects.

It was moved by Council Member Ward, seconded by Council Member Jimenez, and unanimously carried to adopt the following:

Resolution 01-028, "Resolution Approving Addendum No. 1 and Awarding Contract to Bay Cities Paving and Grading, Inc. for the Arterial Pavement Rehabilitation - Phase I, Project No. 5198"

Resolution 01-029, "Resolution Amending Resolution No. 00-089, the Budget Resolution for Capital Projects for Fiscal Year 2000-2001, Relating to an Appropriation of Funds for the Arterial Pavement Rehabilitation - Phase I, Project No. 5198"



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LEGISLATIVE BUSINESS

5. Location Assistance Plan for "Site 4" and Adoption of a Resolution Updating the Agency's Relocation Guidelines

Staff report submitted by Redevelopment Director Bartlett, dated February 20, 2001, was filed.

Redevelopment Director Bartlett made the presentation naming the various businesses and residents that would be impacted by this action. She described the assistance that would be provided and noted that some transactions have not been finalized. Since the costs vary so widely, the allocations vary as well.

Council/RA Member Hilson commented on the few residents in the area, and asked whether the renters might qualify as homeowners.

Council/RA Member Ward asked about the financial disclosures required to document the validity of a business. He expressed concern that any business that is affected by the City action should be compensated; however, a business that is not operating should not be the beneficiary of these payments if it cannot be shown that they are a valid business. City Manager/Executive Director Armas said some verification would be reviewed before payments are made.

Council/RA Member Henson asked whether the Redevelopment Agency funds might be used in conjunction with other government funds in order to obtain home ownership. He also asked about the utility charge reimbursements and whether there will be a cap on utility services.

In response to his question regarding speaking with tenants in the area, Redevelopment Director Bartlett said staff has been requested by the property owner not to talk with the tenants due to lease arrangements. Regarding the utilities, if it falls under the category of re-establishment expenses, there is a cap of \$10,000 for all of that.

Council/RA Member Ward asked whether there would be any special dispensation or relocation allowance for seniors or residents with special disabilities. Redevelopment Director Bartlett explained that residential tenants and owners with special needs can be relocated under this plan; it is not specifically addressed that but it can be made available. Most of the residents are in the category of seeking some type of assistance.

Council/RA Member Rodriguez asked specifically to be kept further informed of the relocation for this site.

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Mayor/Chair Cooper opened the public hearing at 8:41 p.m.

Donald Simpson, 640 Skyline, Vallejo, spoke for his wife who owns the "Dream Girls" beauty shop. He noted the loss of business during reconstruction in the area. He said utility increases would be a problem.

City Manager/Executive Director Armas responded that this information applies only to relocation to another site and start-up costs. He added that the relocation personnel would work closely with the business owners.

Juan Sanders, 22701 Watkins, stated that his mother has owned T&M Transmissions for fourteen years. He asked for further communication between the City and the business owners regarding compensation. He expressed personal issues that impact this move and stated they would suffer a big loss.

Council/RA Member Dowling urged staff to provide as much information as possible to keep the tenants and residents apprised of the situation. He commented on the previous relocations for the Albertson's move.

City Manager/Executive Director Armas said the City has to be very careful in adhering to the provisions of State law. He said whatever information they could make available, they would. Redevelopment Director Bartlett said she would make information available as well.

Walter Remstedt, Stage Coach Drive, Los Gatos, a landlord since 1970, said he would like to relocate and take his tenants with him. He asked why he could not have the same opportunities and desires to be relocated with his tenants. He noted that seven years ago at the request of the City, he rebuilt his building to comply with City earthquake standards.

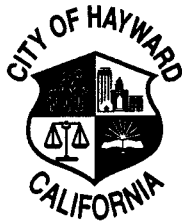
Redevelopment Director Bartlett explained that since he did not have his business physically located on the site, he would not be offered relocation expenses.

Mr. Remstedt asked whether it has ever been considered to find a property and let everyone relocate together. He suggested that he would be willing to build a building on redevelopment property into which to relocate everyone, noting that some of his tenants have been with him for 17 years.

City Attorney/General Council O'Toole suggested that it might be possible, as part of the negotiation of the transfer of the property. It would have to be agreeable to all parties.

Glenn James, 16288 Calypso, San Leandro, said he is one of the owners of the New Orleans' Palace. He commented that they are still at this location, however, they have been doing more outside catering. He noted that they have had crime problems. His business has special needs in relocating equipment that would require particular re-installation services.

Mayor/Chair Cooper closed the public hearing at 8:54 p.m.



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Council/RA Member Dowling commented that recently, during the Albertson's relocation, a tenant was not given any information from the owner. He suggested that tenants be given as much information as can be legally made available.

Council/RA Member Ward encouraged staff to work as actively as possible with the building owner and tenants to keep them in the downtown area if at all possible.

It was moved by Council/RA Member Hilson, seconded by Council/RA Member Henson, and unanimously carried to adopt the following:

RA Resolution 01-02, "Resolution Approving the Relocation Assistance Program Plan for "Site 4" and the Agency's Relocation Guidelines"

6. Direction to Staff Concerning Processing of Foothill Boulevard Annexation

Staff report submitted by Senior Planner Calame, for February 20, 2001, was filed.

Senior Planner Calame reported on the community meeting that was held regarding a possible annexation of this area. He noted that comments during the January meeting ranged from concern to opposition to the proposal. He stated that a representative from Supervisor Nate Miley's office represented his opposition to the proposed annexation. He noted that a representative of the Cherryland Homeowner's Association also stated their opposition to not including all of the Cherryland area, rather than just the small portion on Foothill. In light of the nature of these concerns, staff determined that it does not appear prudent at this time to pursue the annexation proposal.

Council Member Hilson asked what the concerns of business owners were expressed at the January 17th meeting.

Senior Planner Calame described several. City Manager Armas clarified that an observation was made that the City wanted to preempt the County's ability to not sign the freeway agreement. He said they tried to clarify that there is more County land involved. There was a perception that this was the City's attempt at relocating Route 238.

City Manager Armas said his impression was that the majority present at the meeting were not in favor of the annexation. He added that there was also a perception that this was merely an attempt on the City's part to increase their revenue.

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Council Member Jimenez recommended that staff stop pursuing the annexation at this time, without further community interest in the project.

Council Member Rodriquez said she tried to contact Supervisor Miley's office, but did not receive a response on gaining further information on his objections to the annexation.

City Manager Armas said he believed the Supervisor was responding to the concerns expressed by the Cherryland Neighbors Association. During his campaign, he emphatically rejected the proposed freeway.

Council Member Ward commented that he was concerned that this area is the gateway to Hayward. Without going forward with this annexation, the present conditions will remain as the first impression of Hayward. He asked for more options at this area. He said the City should be more aggressive in working with the County on improving the corridor. He mentioned that they had been talking about this proposal for the past three years.

City Manager Armas commented that this area is in the County's Redevelopment Area and perhaps the City might dovetail their Redevelopment in the area with the County's. He added that it might be appropriate to invite the Supervisors from the area to sit down and discuss possibilities.

Mayor Cooper opened the public hearing at 9:09 p.m.

Barbara Fields, 1788 Knox Street, Castro Valley, suggested working with the County to improve Foothill Boulevard. She noted that people living in that area did not get a chance to vote on Measure L or the freeway.

Francisco Abrantes, 22815 Alice, commented on his experience in coming into the City from the County.

Mayor Cooper closed the public hearing at 9:13 p.m.

Council Member Henson said he was present at the meeting and noted that it was very hostile. He was encouraged to note there were other options. He thought that some of the people were coming around to a more centrist viewpoint by the end of the evening. He then moved to direct staff to abandon pursuing this annexation.

Council Member Dowling said he did not want to abandon the process, but go into it with an open mind; find out what the people in the area want, and settle the question of Route 238. He said there was very little tax revenue generated from this area, although the concern that this is a motivation for the City should be addressed. He suggested not abandoning the process but working with Supervisor Miley.

Council Member Jimenez commented on the political role played by the Supervisor in this meeting and his presentation.



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Council Member Hilson said he would reluctantly support the motion. However, he is looking forward to revisiting the proposal of annexation. He said even without this annexation, the City should make that gateway look better. Perhaps we can install some kind of a gateway presence where the City limits begin. This could differentiate between the City and what the county has neglected.

Council Member Rodriguez suggested another approach to this situation. She emphasized the need to work with Caltrans, Alameda County, and the community to garner support in this effort to annex. She noted that this is a very sensitive situation and attacking the County is not a solution. Caltrans is very difficult to work with, but we should continue to work together. As to the Supervisors, the City of Hayward is also a constituent in some degree. She added that she would reluctantly support the motion.

Council Member Dowling suggested amending the motion to include working with Caltrans, County officials, and different owners in the area to explore further ways of improving the area.

It was moved by Council Member Henson, seconded by Council Member Dowling, and unanimously carried by all present, to accept the staff recommendation, with the amendment that staff continue this process by exploring further ways of improving the area with County officials and Caltrans officials.

COUNCIL REPORTS

Mayor Cooper announced that on Saturday, February 24, beginning at 9 a.m. the Council would conduct its annual budget priorities session. She encouraged anyone who was interested to attend.

ADJOURNMENT

Mayor Cooper adjourned at 9:29 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

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Angelina Reyes, City Clerk, City of Hayward
Secretary, Redevelopment Agency